

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gene Parunak et al. Art Unit : 1743
Serial No. : 10/014,520 Examiner : Brian J. Sines
Filed : December 14, 2001 Confirmation No.: 3929
Notice of Allowance Date: April 24, 2007
Title : METHODS AND SYSTEMS FOR PROCESSING MICROFLUIDIC SAMPLES
OF PARTICLE CONTAINING FLUIDS

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicants recognize that, in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the reasons as to why the claims are patentable. In the above-referenced application, Applicants do not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicants do not concede that all of the identified limitations — *i.e.*, that in respect of claims 1 and 19 "the cited prior art neither teach [*sic*] nor fairly suggest a microfluidic device further incorporating an enrichment module comprising a flow-through member and an enrichment chamber and neither an actuator structurally configured to operate in the manner as claimed" — are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Accordingly, the claims may be patentable for other reasons. In addition, dependent claims 3, 6 – 9, 11, 12, 14 – 16, 18, 20, 21, 23 – 26, 30 – 33, and 38 – 56 are individually allowable on their own merits, and may also be allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

[SIGNATURE BLOCK AND FEE AUTHORIZATION ON NEXT SHEET]

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the United States Patent and Trademark Office using the EFS –WEB system on this date: JULY 24, 2007

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Attorney's Docket No.: 19662-026001

No fee is believed owing with the instant submission. Should the Commissioner determine otherwise, he is authorized to apply any additional charges or credits to Deposit Account No. 06-1050 (ref. no. 19662-026001).

Respectfully submitted,

Date: July 24, 2007

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